AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Claims 1-39 (Canceled).

40. (Original) A mask assembly comprising:

a frame,

a cushion; and

headgear,

wherein at least one of the frame, cushion and headgear includes a usage indicator as to condition of the mask assembly.

41. (Original) A mask assembly according to claim 40, wherein at least a portion of the frame is made of a material that exhibits stress whitening after repeated movement.

42. (Original) A mask assembly according to claim 41, wherein the stress whitening takes the form of a warning signal.

43. (Original) A mask assembly according to claim 42, wherein the warning signal is in the form of one or more words.

44. (Previously Presented) A mask assembly according to claim 40, wherein the usage indicator provides an indication of over usage after no more than 14 days of usage.

45. (Original) A mask assembly according to claim 42, wherein the usage indicator is exhibited after no more than 7 days of usage.

46. (Original) A mask assembly comprising:

a frame;

a cushion provided to the frame;

a cushion clip provided to secure the cushion between the cushion clip and the frame via a first connection; and

a swivel elbow provided to the frame via a second connection,

wherein at least one of the first and second connections is provided via a one-way snap which will deform and/or break upon attempt to disassemble.

47. (Original) A mask assembly according to claim 46, wherein the first connection includes a rod provided to the cushion clip which passes through at least one of the cushion and the frame, wherein the rod includes an enlarged head portion which allows assembly of the cushion clip to the frame, but substantially prevents removal of the cushion clip from the frame.

48. (Previously Presented) A mask assembly according to claim 46, wherein the second connection comprises an undercut provided on the frame and at least one tab member provided on a portion of the swivel elbow.

49. (Withdrawn) Headgear for use with a respiratory mask assembly, comprising:

a substantially planar piece of material which includes at least one slit before use,

wherein the at least one slit is expandable to form a substantially enlarged open area in use, so that the material substantially surrounds an occiput of the patient's head.

50. (Withdrawn) Headgear for use with a respiratory mask assembly according to claim 49, wherein each said open area has a polygon shape, such as a diamond or triangle.

51. (Withdrawn) Headgear for use with a respiratory mask assembly according to claim 49, further comprising a first portion including a first strap portion for connection with a

central top portion of a mask assembly, and a second portion including second and third strap portions for connection with lateral sides of the mask assembly.

52. (Withdrawn) Headgear for use with a respiratory mask assembly according to claim 49, wherein the headgear forms a waffle-like pattern in use when worn by the patient.

53. (Withdrawn) A method of making headgear comprising:

providing a single piece of material;

creating a plurality slits in the material;

orienting the slits such that placement of the headgear on a patient's head expands the plurality of slits to form a plurality of open areas spread over the patient's head in use,

wherein the material includes at least first and second strap end portions adapted for connection to a mask assembly.

54. (Withdrawn) A method of making headgear according to claim 53, wherein the open areas are in the form of polygons which are bordered on all sides by a portion of said material.

55. (Withdrawn) A method of making headgear according to claim 54, wherein the polygons include triangles or diamonds.

56. (Withdrawn) A method of making headgear according to claim 53, wherein each of the strap end portions is formed in part by one of said plurality of slits.

57. (Withdrawn) A method of making headgear according to claim 53, wherein the headgear includes at least three strap end portions.

58. (Original) A mask assembly comprising:

a frame;

an elbow provided to the frame and including an inlet conduit; and

a valve member provided between the frame and the elbow, the valve member being configured to allow breathing of ambient air and to prevent back flow of gas towards the inlet conduit of the elbow in an unpressurized state.

59. (Original) A mask assembly according to claim 58, wherein the elbow includes an internal cylindrical tube in communication with atmosphere and a dome that supports the tube, and

wherein any back flow is guided through the tube and not the inlet conduit in the unpressurized state.

60. (Previously Presented) A mask assembly according to claim 58, wherein the elbow includes at least one inlet slot structured to allow ambient air to be channeled between the valve member and the frame for supply to the patient, when operating in the unpressurized state.

61. (Previously Presented) A mask assembly according to claim 59, wherein the valve member is structured to separate from the tube during operation in a pressurized state, to thereby allow pressurized gas to enter an aperture of the frame.

62. (Previously Presented) A mask assembly according to claim 58, wherein the valve member creates an audible indicator during operation in a pressurized state.

63. (Original) A mask assembly according to claim 62, wherein the valve member creates the audible indicator upon proper assembly.

64. (Original) A mask assembly according to claim 62, wherein the valve member creates the audible indicator upon improper assembly.

65. (Original) A mask assembly according to claim 58, wherein the elbow includes a center tube portion and an inner tube suspended from a dome portion of the elbow.

66. (Original) A mask assembly according to claim 65, wherein the inner tube communicates with the atmosphere via a profiled end that is smaller towards atmosphere.

67. (Previously Presented) A mask assembly according to claim 65, wherein the center tube portion includes an aperture near its connection to the dome portion and is generally aligned with the inlet conduit.